

EDWARD H. KUBO, JR. 2499
United States Attorney
District of Hawaii

THOMAS A. HELPER 5676
Room 6-100, PJKK Federal Bldg.
Assistant U.S. Attorney
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-3752
E-mail: tom.helper@usdoj.gov

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	SECOND DECLARATION OF JONATHAN
)	PEIKEN; EXHIBIT "2"
v.)	
)	
MICHAEL CHERTOFF, Secretary,)	
DEPARTMENT OF HOMELAND)	
SECURITY,)	
)	
Defendant.)	
)	
)	

SECOND DECLARATION OF JONATHAN PEIKEN

I, Jonathan Peiken, hereby declare as follows:

1. I am a Human Resources Specialist with the Transportation Security Administration (TSA) Office of Human Capital. I make this declaration from my personal knowledge and from information available to me in my official capacity.
2. Using the assumptions outlined in my first declaration, my office has produced a Payroll Calculation Summary Sheet

documenting the gross pay, deductions, and net pay that Mr. Ware would have earned retroactive to October 19, 2003 through June 7, 2008. I have attached this Summary Sheet as Exhibit 2.

3. The calculation was completed with no deductions made for the Thrift Savings Plan because TSA records indicate that Mr. Ware was not contributing to the TSP at the time of his removal from the Agency.

4. Additionally, the calculation was completed with no deductions made for Mr. Ware's Life Insurance and Health Benefits Plan because it would not benefit Mr. Ware to have those deductions made retroactively. However, once TSA cancels the removal action and Mr. Ware is reinstated he will be able to resume his life insurance coverage and the health benefits plan that he had previously selected.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 5, 2008, at RESTON, VA.


JONATHAN PEIKEN